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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,127	07/16/2003	Theodore James Myers	SBC 0131 PA	1949
7590	05/04/2005		EXAMINER	
Robert P. Renke Suite 250 28333 Telegraph Road Southfield, MI 48034			DOAN, PHUOC HUU	
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/621,127	MYERS ET AL.
Examiner	Art Unit PHUOC H DOAN	2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 16 July 2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 18-37 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 18-37 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner..

10)  The drawing(s) filed on 16 July 2003 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings were received on 07/16/03. These drawings are acceptable.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 18-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Owensby (US Pub No: 2002/0077130) in view of Hatano (US Pub No. 2003/0088637)**.

**As to claim 18**, Owensby discloses a mobile terminal for a wireless communication system (col. 6, par. [0043]) comprising a display for defining a user-selected vector with respect to a location of said mobile terminal (col. 6, par. [0044-0045]), said mobile terminal adapted to transmit said vector information to a network controller within said wireless communication system (col. 6 to col. 7, par. [0045-0049]).

However, Owensby does not specific disclose user-selected vector respect to a location of the mobile terminal. Hatano discloses user-selected vector respect to a location of the mobile terminal (col. 2, par. [0029], and col. 3 to col. 4, par. [0051-0061]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide of user-selected vector as taught by Hatano to the

system of Owensby in order provide an information retrieval system by which desired information can be retrieved.

**As to claim 19**, Owensby and Hatano disclose everything claimed, as applied above (see claim 18). In addition, Owensby further discloses a mobile terminal according to claim 18 wherein said vector information defines a user-zone wherein said mobile terminal is desired to be used within said wireless communication system (col. 6, par. [0045]).

**As to claim 20**, Owensby and Hatano disclose everything claimed, as applied above (see claim 18). In addition, Hatano further discloses a mobile terminal according to claim 18 wherein said vector information comprises at least one radius or distance vector with respect to said mobile terminal location (col. 1 to col. 2, par. [0022-0036]).

**As to claim 21**, Owensby and Hatano disclose everything claimed, as applied above (see claim 18). In addition, Owensby further discloses a mobile terminal according to claim 18 comprising a stylus or keypad input device for inputting said user-selected vector (col. 10, par. [0062]).

**As to claim 22**, Owensby and Hatano disclose everything claimed, as applied above (see claim 18). In addition, Owensby further disclose a mobile terminal according to claim 18 wherein said location information is received at said mobile terminal from said wireless communication system (col. 6, par. [0043], and col. 9, par. [0054]).

**As to claim 23**, Owensby further discloses a mobile terminal according to claim 22 wherein said location information is received at said mobile terminal from said wireless communication system (col. 9, par. [0054-0056]).

**As to claim 24**, Owensby further discloses a mobile terminal according to claim 22 comprising a GPS receiver (col. 6, par. [0045]), and wherein said location information is provided by said GPS receiver (col. 7, par. [0046-0047]).

**As to claim 25**, Owensby and Hatano disclose everything claimed, as applied above (see claim 18). In addition, Hatano further discloses a mobile terminal according to claim 18 wherein said display is a graphical user interface (col. 2, par. [0036-0040]).

**As to claim 26**, the claim is rejected for the same reason as set forth in claim 21.

**As to claim 27**, Owensby further discloses wherein said mobile terminal is adapted to transmit a request for communication services within a region defined by said user-selected vector to said network controller (col. 6 to col. 7, par. [0045-0049]).

**As to claim 28**, the claim is rejected for the same reason as set forth in claim 20.

**As to claim 29**, Owensby further discloses wherein said request includes a request for voice and data communication services (col. 8, par. [0051-0053]).

**As to claim 30**, Owensby and Hatano disclose everything claimed, as applied above (see claim 18). In addition, Owensby further discloses a mobile terminal according to claim 18 wherein said request for communication services is transmitted to a plurality of network controllers each associated with a communications service provider (col. 7 to col. 8, par. [0049-0050], and [0053]).

4. Claims 31-34, and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Owensby in view of **Amin (US Patent No: 6,810,257)**.

**As to claim 31**, Owensby discloses each of said service providers having a wireless communication system including a network controller providing communication

services to a plurality of mobile user terminals (col. 7, par. [0046]), a method of requesting communication services by a user within a user-defined user zone comprising the steps of (col. 6 to col. 7, par. [0043-0049]): determining a location of said user's mobile terminal (col. 6, par. [0043], and col. 9, par. [0054]); defining a desired area with respect to said location (col. 6, par. [0043], and col. 9, par. [0054]); transmitting from said user terminal (col. 10, par. [0061]), said desired area to at least one of said wireless communication service providers "Call Management System 20" (col. 12, par. [0077-0081]); and receiving from at least one of said wireless communication service providers wireless communication services within said desired area (col. 12, par. [0077-0081]).

However, Owensby does not specific disclose a geographic region serviced by at least two wireless communication service providers.

Amin discloses a geographic region serviced by at least two wireless communication service providers (col. 1, lines 10-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a geographic region serviced by at least two wireless communication service providers as taught by Amin to the system of Owensby in order to services the roaming without fee charge.

**As to claim 32**, Owensby and Hatano disclose everything claimed, as applied above (see claim 31). In addition, the claim is rejected for the same reason as set forth in claim 30.

**As to claim 33**, Owensby and Hatano disclose everything claimed, as applied above (see claim 31). In addition, the claim is rejected for the same reason as set forth in claim 20.

**As to claim 34**, Owensby and Hatano disclose everything claimed, as applied above (see claim 31). In addition, the claim is rejected for the same reason as set forth in claim 24.

**As to claim 36**, Owensby and Hatano disclose everything claimed, as applied above (see claim 31). In addition, the claim is rejected for the same reason as set forth in claim 30.

**As to claim 37**, Owensby and Hatano disclose everything claimed, as applied above (see claim 36). In addition, the claim is rejected for the same reason as set forth in claim 35.

5. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Owensby in view of Amin as applied to claim 34 above, and further in view of **Hatano** (US Pub No: 2003/0088637).

**As to claim 35**, the combination of Owensby and Amin disclose everything claimed, as applied above (see claim 34). However, the combination of Owensby and Hatano fail to specific disclose the method of claim 34 wherein defining a desired area includes inputting at least one user-selected vector on a display map.

Hatano discloses wherein defining a desired area includes inputting at least one user-selected vector on a display map (Fig. 6, col. 2, par. [0036-0039]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide on a display map as taught by Hatano to the system of Owensby and Amin in order provide an information retrieval system by which desired information can be retrieved.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Karr (US Pub No: 2003/0222820) discloses “Wireless location using hybrid techniques”.**

Tagi (US Pub No: 2003/0018743) discloses “Network system for serving information to mobile terminal apparatus”.

Bridges (US Patent No: 6,148,197) discloses “Intelligent roaming system with over the air programming”.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUOC H DOAN whose telephone number is 571-272-7920. The examiner can normally be reached on 9:30 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LESTER G KINCAID can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2687

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Phuoc Doan  
04/21/05

  
4/26/05  
ELISEO RAMOS-FELICIANO  
PATENT EXAMINER